

**COLUMBUS BOARD OF ZONING APPEALS  
123 WASHINGTON STREET  
COLUMBUS, INDIANA**

The Columbus Board of Zoning Appeals met at 6:30 p.m., October 22, 2002 in the Council Chambers, second floor of City Hall, 123 Washington Street, Columbus, Indiana for its monthly meeting.

Members Present: Patricia Zeigler, Chairperson; David Fisher;  
Fred Stadler; and Eric Frey, alternate

Staff Present: Roger Hunt, Planning Director; Alan Whitted, Deputy City  
Attorney; Thom Weintraut; Marcus Hurley; and  
Judith K. Walters

Mr. Zeigler opened the meeting with a brief explanation about the Board and its responsibilities.

Proof of advertising for all cases was confirmed. The petitions and staff comments are a permanent record at the Planning Department.

Mr. Whitted, acting as a notary, administered the oath to those in attendance that will offer testimony on behalf of the cases presented tonight.

**DOCKET NO. C/CU-02-08 – PENNY HUNDLEY**

A request to operate a beauty salon from a residence. The property is located at 3159 N. National Road.

Penny Hundley gave her name for the record.

Mr. Hurley presented the staff video and reviewed the staff comments. He said Ms. Hundley has operated a salon in the county per a variance. The are conditions that should be considered in a motion if approved.

Ms. Hundley said she has operated a salon in her home part-time for six years by variance so that she could raise her children. She said they selected this property for location, great buffering and that the nearest neighbor didn't object to the salon. She said her 3, 5 and 9 year old children are involved in several activities, but that she needs to help support their family.

Ms. Zeigler read letters from prior neighbors that supported the salon: Bonny Booth; Elsiemae L. Russell; and Betsy Hundley.

The meeting was opened for public comment.

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Suzanne Smith, Al Satterfield, Irma Lynn, Jim Mara and Dean Smith spoke at length against the request.

The public portion of the meeting was closed.

Ms. Zeigler read letters of opposition from Suzanne Smith; North Christian Church; John and Ann Hackett; Dr. Ruth Holland; T. Craig Hawes; and Rod and Dorothy Lewellen. A letter of support was also read from Joyce and Gary Robertson.

DISCUSSION: business operation; encourages other people to apply for a business in a residentially zoned area; 2002 land use meetings; lower property values; not consistent with the Master Plan; two uses on one lot; traffic safety; there are other options in commercial zoned areas.

Ms. Hundley said a realtor had helped find an appropriate property that would be favorable for her salon. She said she knows of piano lessons, tutoring and voice lessons being conducted in the neighborhood, but that she wanted to be legal and allow the Board to monitor her salon. She said there might be 10 people a day at her shop.

Mr. Fisher moved to deny **C/CU-02-08**, noting that Ms. Hundley was following the rules, but he must consider the majority of comments from neighbors that were made.

Mr. Frey seconded the motion that passed by a 3-0 vote.

**DOCKET NO. C/CU-02-09 – STEVEN E. HENRY**

A request to operate a locksmith business from a detached garage.  
The property is located at 505 11<sup>th</sup> Street.

Steven Henry and Rik Sanders, surveyor for E. R. Gray and Associates, gave their names for the record.

Mr. Hurley presented the staff comments for consideration and video. He said the staff suggests these conditions if approved: the van sign needs to be addressed; hours of operation; and review of the request in two years.

There were many questions and issues about the van sign.

DISCUSSION: van signs indicate a business on wheels; take home vehicles with signs aren't to be visible; parking of business vehicle on property as required by the ordinance; parking the vehicle where it isn't visible to the owner, would invite vandalism

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or theft of expensive tools and equipment; the number of vans around town with signs on them; traffic isn't an issue.

Mr. Weintraut read the ordinance pertaining to van signs for advertisement purposes into record.

The public portion of the meeting was opened for comment.

Jan Apple said she supports the request, the property is kept in excellent shape and they are good neighbors.

The meeting was closed to the public.

Mr. Hurley asked about equipment in the garage and the possibility of working with the garage doors open at times.

Mr. Henry said small drills and a key machine are used.

Letters of support were read into record from Wayne Fulp, Sheryl Nulph and Matthew Gordon were read into record.

Mr. Sanders read a list of neighbors that signed petitions to support Mr. Henry: Richard L. Wilkerson, Susan Whipker, Mark Elifritz, Gana C. Worgum, Sheryl Nulph, and W. Marc Modisett.

Mr. Fisher moved for approval of **C/CU-02-09** and the provisional findings of fact with the condition the request is to be reviewed in two years.

Mr. Stadler seconded the motion. It passed with a 3-0 vote.

**DOCKET NO. C/DS-02-16 – IRWIN UNION BANK**

A request to encroach into the building setback of State Road 46.  
The property is located at Westhill Shopping Center.

Mr. Fisher excused himself due to a conflict of interest and announced that Mr. Frey will be hearing the case.

Orwic Johnson, surveyor; Michael Reed of Irwin Union; and Todd Williams, architect, gave their names for the record.

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Mr. Hurley read the staff report into record, noting that not all of the criteria have been met. The staff video was presented.

Mr. Johnson mentioned an additional 25' of right-of-way that reduced the lot size was acquired by the state in 1994. He presented three proposed site plans, explaining the advantages or disadvantages for each.

Al Roszcyk, branch manager for Irwin Union, said there are 6,500 transactions for walk-in customers and a drive-in service is needed to accommodate customers.

DISCUSSION: green area; parking spaces; drive-up windows; circulation, traffic flow; setback; sidewalks; aesthetics; alternative entrance and plans; elevation of building; canopy location.

The public portion was opened for comments.

Nolan Bingham, representing Jackson County Bank, discussed possible changes to the proposed site layout. He said the lot is an attractive green space. He mentioned the Seymour branch that has a reverse traffic pattern, so there are other options.

Mr. Johnson said that is a patch to a problem that still must be solved.

Ms. Zeigler asked for a motion. There being no motion, **C/DS-02-16** was automatically continued to the November 26, 2002 meeting.

The findings for **C/DS-01-15, TOTAL FITNESS/MARK PERRY** were approved by a 3-0 vote; Mr. Fisher making the motion, seconded by Mr. Stadler.

The minutes for the September 24, 2002 meeting were approved.

The meeting was adjourned at 8:55 p.m.

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Patricia Zeigler, Chairperson

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David Fisher, Acting Secretary